

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Martha Ward,	)	C/A No. 3:03-3239-JFA
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	<b>OF JUDGMENT</b>
Dixie National Life Insurance Company	)	
and National Foundation Life Insurance	)	
Company,	)	
	)	
Defendants.	)	
_____	)	

For the reasons set forth in the court's order addressing summary judgment [dkt. # 374] and in the separate order regarding the damages calculation in this case [dkt. # 396], the court hereby enters judgment for plaintiff Martha Ward and the class of similarly situated plaintiffs on their breach of contract claims in the amount of \$7,828,071.39. The individual judgments in favor of each claimant are set forth in the attachment to this order, and these individual amounts, which add to a total judgment of \$7,828,071.39, include prejudgment interest.

Also pending before the court is the request for an award of attorneys fees and reimbursement of costs and expenses filed by plaintiffs' counsel. [dkt. # 383]. This request is granted. Counsel filed their request for costs, expenses, and fees November 18, 2008. This court thereafter directed counsel to send notice to the class members of their request and advise plaintiff and the class members of their rights to object to and offer testimony on the

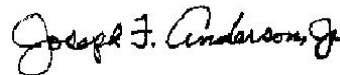
request for costs and fees. The court's order instructing counsel to notify plaintiff and the class set a date of December 15, 2008, for the final hearing on counsel's request, and at the hearing, counsel represented that they had been in contact with each class member and had received no objections to their request for expenses, costs, and attorneys fees. The court finds that the litigation of this case involved considerable costs, yielded a favorable result, and required a great deal of effort by highly-skilled attorneys. The court therefore grants counsel's request that they be awarded attorneys fees in the amount of thirty (30%) percent of the funds recovered, plus three (3%) for future services and expenses, and awards counsel costs and expenses in the amount of \$192,596.73. This is the amount of costs detailed in the itemization provided by counsel in support of their motion. [dkt. # 383, Attachments 2 & 3].

As a housekeeping matter, at the hearing on the request for costs, expenses, and fees, plaintiff agreed to dismiss her pending claim against defendants for breach of contract accompanied by a fraudulent act. The claim is therefore dismissed, and this dismissal is with prejudice.

The clerk shall enter judgment in accordance with the provisions of this order.

IT IS SO ORDERED.

December 15, 2008  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge